

EXHIBIT B

1 compliant with the commands that the officer was giving him.
2 So I, I would submit that there has been enough evidence to
3 bind over all counts, Judge.

4 THE COURT: Kay. Thank you.

5 Recognizing the role as a magistrate, I can't weigh
6 the evidence. I can't weigh the testimony. I just can't. The
7 disarming a peace officer is to did intentionally take or
8 remove or attempt to take or remove. I think the evidence is
9 sufficient to show probable cause to believe that that crime
10 did occur and that the defendant is the one who committed that
11 crime on the probable cause standard. So I'm binding over
12 Count I.

13 Assault by a prisoner, again, I believe that the
14 testimony is sufficient to sustain the burden for a probable
15 cause that there was an attempt to head butt, so I am bind over
16 on Count II as well, the third degree felony.

17 The other matters are misdemeanors. I think there's
18 sufficient evidence for them to proceed with the two felony
19 counts. So I'm going to bind the, the matter over for trial.

20 MR. HILL: Judge, may I withdraw (inaudible)?

21 THE COURT: Yes. And I'm assuming, Mr. Johnson, do
22 you want yours as well?

23 MR. JOHNSON: Yes, please.

24 THE COURT: Okay. Kay, let's get-

25 (Inaudible - conversation scheduling hearing date)